

DFEH News Brief

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For Immediate Release

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DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING ANNOUNCES \$75,000 SETTLEMENT OF RACE DISCRIMINATION IN HOUSING CASE

Elk Grove – The Department of Fair Employment and Housing (DFEH) today announced the \$75,000 settlement of a San Mateo County housing case alleging discrimination on the basis of race.

In June 2004, the complainant, an African-American woman, responded to a San Francisco newspaper advertisement offering a one-bedroom condominium for rent. She contacted the owner, Anna Gambero (Gambero), and expressed her interest in renting the unit. The complainant disclosed to Gambero that her source of rental income included a “Section 8” voucher issued by the Department of Housing and Urban Development. Upon arriving at the unit to view it, the complainant was met by the president of the homeowners’ association whom Gambero had enlisted to provide access to complainant. Shortly after the complainant viewed the unit, Gambero telephoned her to see if she desired to rent it. When the complainant stated that she did, Gambero agreed to mail her a rental application, telling complainant that complying with the “Section 8” requirements would not be problematic. Gambero assured the complainant that even though there was “a lot of paperwork” involved, “I like you. The place is yours. . .”

Gambero then spoke with the association president who remarked that the association would have its first African-American resident once the complainant moved in. Gambero became angry and indicated that she did not want to rent to “a Black person.” That same evening, she informed the association president that she would not be renting the unit to the complainant after all, and requested that the association president not reveal Gambero’s prior statement of preference.

A few days later, Gambero admonished the complainant not to submit the rental application, ostensibly because she did not want to deal with the Section 8 requirements, stating “plus, they described you to

me.” Shortly thereafter, Gambero rented the unit to a Caucasian woman at a rental rate \$75.00 per month lower than the amount the complainant had agreed to pay.

A complaint of discrimination was filed with the DFEH in August 2004, and the DFEH filed suit in San Mateo County Superior Court in September 2005, alleging that Gambero violated the Fair Employment and Housing Act (FEHA) by denying a housing accommodation to the complainant because of her race, as well as making an illegal statement indicating a preference on the basis of race. Moreover, the DFEH asserted that Gambero violated the Unruh Civil Rights Act which prohibits discrimination by a business establishment in connection with the provision of a housing accommodation.

Under the terms of the settlement, Gambero did not admit wrongdoing, but paid compensatory damages to the complainant in the amount of \$75,000, and agreed to refrain from discriminating against current or prospective tenants on the basis of race. Gambero must also distribute and post, in a conspicuous location upon any rental housing accommodations she owns within the State of California, a policy prohibiting discrimination. Additionally, Gambero must post and include in all rental applications and agreements a notice stating that she does not and will not discriminate against tenants or prospective tenants on the basis of race and has paid monetary damages for having previously done so. Finally, Gambero will abstain for one year from any involvement in the selection process or direct management of her residential rental properties, delegating that task to a property management company, and undergo training on the housing provisions contained within the FEHA.

“This case serves as a lesson to California housing providers that discrimination on the basis of race cannot and will not be tolerated,” commented DFEH Director Suzanne Ambrose. “California housing providers have an affirmative legal obligation to be aware of their responsibilities under the Fair Employment and Housing Act and the Unruh Civil Rights Act.”

The DFEH enforces laws prohibiting discrimination in employment, housing, public accommodations and acts of hate violence. Further information about the DFEH and its services may be obtained by visiting the Department’s web site at www.dfeh.ca.gov or calling (800) 884-1684. Housing discrimination complaints may be filed with the DFEH by calling (800) 233-3212.